

ED

Notice of Allowability

Application No.

10/659,410

Applicant(s)

KRAUSE ET AL.

Examiner

Art Unit

Sara Addisu

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/26/07.
2. ☒ The allowed claim(s) is/are 1,3 and 5-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Allowable Subject Matter

Claims 1, 3 and 5-12 are allowed.

Regarding independent claims 1, 11, 15, 20 and 21, the closest prior art to the instant invention is Egorov et al. (SU 683858A). Egorov et al. teaches a drill having a tubular outer housing having a bore extending along a longitudinal axis, a tubular inner housing, a pneumatic motor assembly (6) having a chuck adapted to receive a bit for rotation ('858, figure 1 and abstract). Egorov et al. also teaches an annular pneumatic feed piston (3) thus will have a feed passage/air inlet for supplying air pressure) and feed chamber (7) ('858, figure 1). Furthermore, Egorov et al. teaches a hydraulic cylinder (2) having an annular fluid restrictor chamber and an orifice (11) in a bypass passage through which hydraulic fluid flows in response to the movement of the feed piston, which is connected to by rod (5) to the pneumatic feed piston ('858, figure 1 and abstract).

However, regarding claims 1, and 11, Egorov et al. fails to anticipate or make obvious the fluid restrictor chambers being located between the outer diameter of the inner housing and the inner diameter of the outer housing. Furthermore, Regarding claims 15 and 20, Egorov et al. fails to anticipate or make obvious having an annular feed chamber stationary seal fixed to the bore of the outer housing rearward of the feed piston. Regarding claim 21, Egorov et al. fails to anticipate or make obvious having a

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resilient dome member and electrical contacts whereby the dome deflects into engagement with the electrical contact.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Addisu at (571) 272-6082. The examiner can normally be reached on 8:30 am - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SA
7/18/07

Monica S. Carter
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